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SUMMARY OF STATE NURSERY-STOCK SHIPPING REQUIREMENTS AND PLANT QUARANTINES AND REGULATIONS AFFECTING INTERSTATE SHIPMENTS

WEST VIRGINIA

The information contained in this summary was compiled from material received from the plant quarantine official of West Virginia and has been approved by him. It is issued for the convenience of plant quarantine inspectors, shippers, transportation agents, truckers, and others concerned in the interstate movement of plants, plant products, and other materials subject to State regulation on account of plant pests.

The summary for West Virginia gives the general requirements for shipping nursery stock into that State. An appendix furnishes information on post-office requirements for mailing plants as well as terminal-inspection procedure. This summary does not include digests of nursery-stock and plant-quarantine requirements relating to the movement of plants entirely within the State.

The information contained in this circular is believed to be correct and complete up to the time of preparation, but it is not intended to be used independently of or as a substitute for the original texts of the regulations, and it is not to be interpreted as legally authoritative. For detailed information address the Entomologist, State Department of Agriculture, Charleston 5, West Virginia.

In addition to State requirements, shippers will need to take into consideration applicable plant quarantines of the United States Department of Agriculture. In most instances these quarantines regulate the interstate movement of specified plants, plant products, and other articles <u>from</u> designated regulated areas. However, some of these quarantines regulate the interstate movement of certain articles <u>into</u> designated protected areas. Copies of such quarantines may be obtained from the Bureau of Entomology and Plant Quarantine, Washington 25, D. C.

Chief, Bureau of Entomology and
Plant Quarantine

WEST VIRGINIA

Summary of General Nursery-Stock Shipping Requirements
(Crop Pest Act, secs.23-32, art.12, ch.19, Code of W. Va. as amended by Acts 1939 and 1945; regulations adopted July 1, 1945)

Definition of Nursery Stock.--Field-grown florist stock, trees, shrubs, vines, cuttings, grafts, scions, buds, fruit pits and other seed of fruit and ornamental trees and shrubs, and other plants and plant products for propagation, except field, vegetable, and flower seeds, bedding plants, and other herbaceous plants, bulbs, and roots. When produced or improved by any method of cultivation, the following shall be included under the term, "nursery stock": trees, shrubs, berry plants, fruit trees (wild or cultivated), evergreens, including rooted Christmas trees, or "any plant of the above group not native to West Virginia, either wild or cultivated."

Definition of Non-Nursery Stock.--The term, "non-nursery stock" is applied to unimproved, uncultivated plants native to fields and woods; shrubs produced in pots and forced for out-of-season bloom, potted herbaceous plants, perennials; vegetables and flowering plants; bulbs and roots; trees cut for Christmas trees.

General Shipping Requirements.--No one engaged in the nursery business may sell, deliver, or give away nursery stock in West Virginia until he has obtained a certificate of registration, which must be exhibited to each recipient of such stock. The applicant is required to file a certified copy of his inspection certificate, and certificates of inspection from other States will be accepted. All nonresident dealers in nursery stock are required to pay a fee of $15 for registration of each place of business operated. The dealer must furnish an affidavit that he will buy and sell only certified stock and will maintain with the Commissioner of Agriculture a list of all sources of such stock. All registered concerns must list their agents with the Commissioner, who will issue a permit to such representatives upon filing of an application form and for a fee of $1. All certificates and permits expire on the next June 30 following issuance.

All nursery stock sold, offered for sale, or delivered into the State must be tagged to indicate the stock is from an officially inspected nursery. The Commissioner may require all carriers bringing nursery stock into the State to notify him immediately that such a consignment is in their possession or enroute to a point within the State, whether the shipment bears the official inspection tag, and giving such other information as is required.

Anyone misrepresenting the grade, character, variety, or quality of nursery stock offered for sale is subject to penalty.

Anyone receiving foreign nursery stock must so notify the Commissioner and hold it unopened until officially released.

"Non-nursery stock" grown in an outside garden or greenhouse in West Virginia must meet the inspection requirements for an interstate shipping permit. There are also provisions for the inspection of noncommercial shipments of nursery stock and non-nursery stock.

West Virginia has no State plant quarantines pertaining to interstate shipments.

The foregoing summary was checked and approved on August 11, 1948, by F. Waldo Craig, Entomologist.

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